

REMARKS

Claims 1, 2, 4, and 6-16 are currently pending in the subject application and are presently under consideration. The listing of claims located at pp. 2-8 is provided solely for the convenience of the Examiner. No changes have been made thereto. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments herein.

I. Rejection of Claims 1, 2, 4, and 6-16 Under 35 U.S.C. §103(a)

Claims 1, 2, 4, and 6-16 stand rejected under 35 U.S.C. 103(a) for being unpatentable over Bergman *et al.* (U.S. 6,564,263) in view of Byrne *et al.* (U.S. 5,990, 883). Withdrawal of this rejection is requested for at least the following reasons. The cited references, either alone or in combination, fail to teach or suggest all limitations of the subject claims.

To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) ***must teach or suggest all the claim limitations***. See MPEP §706.02(j). The ***teaching or suggestion to make the claimed combination*** and the reasonable expectation of success ***must be found in the prior art and not based on the Applicant's disclosure***. See *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The subject invention relates to systems and methods for rich file management in connection with storing and managing data. In particular, independent claim 1 recites a platform that manages disparate files, comprising a management component, and a multimedia file system, wherein the management component manages the disparate files as one entity of data within the multimedia file system, ***the management component establishes links between disparate files via forming relationships with one or more contact items, the one or more contact items include information related to at least one of: a phone number, a mailing***

address and a link to emails. Bergman *et al.* and Byrne *et al.* do not teach or suggest such aspects.

Rather, Bergman *et al.* relates to a framework for describing multimedia content and a system in which a plurality of multimedia storage devices employing the content description methods can interoperate. (See Abstract). Multimedia objects are described through an InfoPyramid model to capture the multiple modality and multiple fidelity nature of the object. (See col. 3, ll. 40-43). Nodes of an InfoPyramid object correspond to a specific modality and fidelity of the multimedia object. Interconnections between the nodes indicate transformations that may be performed on the object to render the object suitable for a plurality of devices. (See col. 7, line 65 – col. 8, line 4 and col. 10, ll. 10-15). For example, an interconnection between a video node and an image node may indicate transforming a video to static images by identifying key frames of the video. Additionally, an interconnection between two video nodes may indicate the availability of distinct video fidelities (*e.g.*, varying resolutions, varying frame rates, ...). Thus, Bergman *et al.* relates to a content description scheme that connects various modalities (*e.g.* video, audio, text) of an object to facilitate transformation on the object for display on a device in accordance with the capabilities of the device. Bergman *et al.* provides linkages between different modalities and fidelities of a particular media file context (See col. 14, ll. 19-28), but is silent regarding establishing links between disparate files *via forming relationships with contact items* including information related to a phone number, a mailing address and a link to emails as recited in independent claim 1.

Moreover, while Bergman *et al.* discloses that InfoPyramid objects may have associated metadata such as author or publisher (See col. 8, ll. 55-60), this metadata provides annotations to describe the objects. Bergman *et al.* nowhere discloses or suggests utilizing this metadata as a basis for forming relationships among different objects. Rather, Bergman *et al.* associates objects based upon temporal relationships (*e.g.*, follows, precedes...), and/or spatial relationships (*e.g.*, near, north of, east of...). (See col. 15, line 5 – col. 17, line 22). In the claimed invention, for example, linking disparate files *via forming relationships with contact items* may provide for efficient querying. A query can utilize an artist's contact item to enumerate author relationships among the linkages and retrieve songs written by the artist, songs performed by the artists, books authored and/or about the artist, movies where the artist performed, *etc.* (See pg. 7, ll. 1-22). Bergman *et al.*, on the other hand, associates objects according to time and space to designate

objects that occurred at similar times or at similar locations. Bergman *et al.* fails to disclose, teach or suggest associating objects based upon, for example, an author relationship as in the claimed subject matter.

Further still, in the subject Final Office Action, the Examiner contends that Bergman *et al.* teaches forming relationships with contact items. In particular, the Examiner cites an exemplary application of Bergman *et al.*, wherein a web address is utilized, as teaching forming relationships with contact items. Applicants' representative respectfully disagrees. Bergman *et al.* discloses a web image search engine wherein content descriptors are utilized to index images on the World Wide Web. (*See* col. 20, line 57 – col. 21, line 12). Terms are extracted from a parent web page and web address of an image in order to associate metadata with the image to facilitate future retrieval. However, Bergman *et al.* is silent regarding linking disparate images *via* forming relationships with one or more contact items. In other words, the web address is not utilized as a basis to form a relationship between or link multiple images. Therefore, Bergman *et al.* fails to teach or suggest every limitation of the subject claims.

Byrne *et al.* does not make up for the aforementioned deficiencies of Bergman *et al.* Rather, Byrne *et al.* relates to a system and method for selecting content from a plurality of different physical sources and from a variety of content sources (*e.g.* terrestrially broadcast signals and cable television signals) available from the physical sources. (*See* Abstract). Byrne *et al.* provides steps for gathering programming data for a plurality of different program environments and integrating this data to be presented to the user in an electronic program guide. Thus, Byrne *et al.* discloses a system in which a user may efficiently tune to selected programming from different physical sources and nowhere discloses forming relationships with contact items that include information related to a phone number, a mailing address and a link to emails as recited by the claimed invention. Therefore, Byrne *et al.* fails to cure the deficiencies of Bergman *et al.*

In view of at least the foregoing, it is readily apparent that Bergman *et al.* and Byrne *et al.*, either alone or in combination, fail to disclose, teach or suggest each and every limitation recited in the subject claims. Therefore, the cited references do not make obvious applicants' claimed invention and this rejection should be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP534US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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